

**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

Public Servants – Revenue Department - Allegations of corruption against Sri Kesavan Amarnath @ Kesava Amarnadh, Village Revenue Officer, Office of the Tahsildar, Tirupati Urban, Tirupati, Chittoor District – Trapped by the Anti-Corruption Bureau Officials on 20-03-2009 - Sanction of Prosecution – Orders – Issued.

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**REVENUE (VIGILANCE-VII) DEPARTMENT**

**G.O.Ms.No. 113**

**Dated:05-02-2010.**

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**ORDER:**

1. Whereas, Sri Kesavan Amarnath @ Kesava Amarnadh, worked as Village Revenue Officer, Office of the Tahsildar, Tirupati Urban, Tirupati, Chittoor District from 22-04-2008 to 20-03-2009 and by virtue of the post held by him, he falls under the category of public servant as defined under section 2(c) of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

2. And whereas, Sri S.Narendra Kumar came to the Office of the Deputy Superintendent of Police, Anti-Corruption Bureau, Tirupati and lodged a report with the Deputy Superintendent of Police, Anti-Corruption Bureau, Tirupati stating that he applied for Caste Certificate (Yadav-B.C.) in the Office of the Tahsildar, Tirupati Urban on 06-03-2009 for submitting the same to the Nagarjuna University for doing House Keeping course through Distance Education Department. On his coming to know that certificate will be issued after enquiry by the Revenue Inspector, he met the Revenue Inspector Sri Ashok Reddy and asked for his Caste Certificate. The Revenue Inspector informed that his application has to be processed through the Village Revenue Officer. Subsequently, Sri S.Narendra Kumar met Sri Kesavan Amarnath, Village Revenue Officer and enquired about his caste certificate twice, but, Sri Kesavan Amarnath postponed the issue stating that he will do it. On 18-03-2009 he met Sri Kesavan Amarnath in the Office of Tahsildar, Tirupati Urban and when enquired, Sri Kesavan Amarnath demanded him to pay a bribe of Rs.1,000/- for attesting his signature on it. Sri S.Narendra Kumar expressed his inability to pay the bribe amount stating that a copy of Caste Certificate issued earlier was also enclosed. But, Sri Kesavan Amarnath clarified him that without payment of bribe, his work will not be done and asked him to pay the same either at his Office or at his house within two or three days. As Sri S.Narendra Kumar was not willing to pay the bribe amount to Sri Kesavan Amarnath, came to the Office of the Deputy Superintendent of Police, Anti-Corruption Bureau, Tirupati and gave a report on 19-03-2009 at 18:00 hours;

3. And whereas, the Deputy Superintendent of Police, Anti-Corruption Bureau registered the report as a case in Cr.No.03/RCT-TCT/2009 under section 7 of the Prevention of Corruption Act, 1988 at 07:00 A.M.,

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on 20-03-2009 after due verification. During the course of investigation, the Deputy Superintendent of Police, Anti-Corruption Bureau conducted pre-trap proceedings in his office room at Tirupati on 20-03-2009 from 07:15 hours to 08:40 hours in the presence of two mediators, two Anti-Corruption Bureau Inspectors, staff and Sri S. Narendra Kumar was also present during that time. All the required formalities to be observed were complied with;

4. And whereas, after conclusion of pre-trap proceedings, the Deputy Superintendent of Police, Anti-Corruption Bureau arranged cell- phone from his staff to Sri S.Narendra Kumar and directed Sri S. Narendra Kumar to ask Sri Kesavan Amarnath where he has to approach him. On enquiry, Sri Kesavan Amarnath asked him to come to his room near Leprosy Hospital with the demanded bribe amount. On 20-03-2009 at 08:45 hours, the trap team along with mediators and Sri S.Narendra Kumar left Anti-Corruption Bureau Office, Tirupati and reached near Subba Reddy Nagar first cross road at 09:05 hours, the Deputy Superintendent of Police, Anti-Corruption Bureau asked Sri S.Narendra Kumar to alight from the vehicle, go to the house of Sri Kesavan Amarnath and to pay the bribe amount, on his further demand only and in case of demand and acceptance of the bribe amount, to give a signal by wiping his face twice with his hand-kerchief to P.C.-3006, who will be visible to him. The Deputy Superintendent of Police, Anti-Corruption Bureau instructed P.C.-3006 to follow Sri S.Narendra Kumar, to receive the signal from Sri S.Narendra Kumar and relay the same to the trap party by lifting up both his hands. Sri S. Narendra Kumar left the vehicle and went towards the house of Sri Kesavan Amarnath. He went to the room of Sri Kesavan Amarnath and requested to get his Caste Certificate issued, Sri Kesavan Amarnath took out his caste application forms from an almairah in his room and showed to him and then asked him whether it belongs to him or not and he asked Sri S.Narendra Kumar, whether he brought demanded bribe amount of Rs.1,000/-, when Sri S.Narendra Kumar gave positive answer, Sri Kesavan Amarnath asked him to give that amount and on that when Sri S. Narendra Kumar took out the tainted amount from his shirt pocket and gave it to Sri Kesavan Amarnath, Sri Kesavan Amarnath received that amount with his right hand and verified with his both hand fingers to some extent and kept the bribe amount in his shirt left side pocket, then Sri Kesavan Amarnath wrote recommendation on the application form of Sri S.Narendra Kumar, signed on them and then asked Sri S.Narendra Kumar to meet him at Tahsildar Office after two days, that Sri Kesavan Amarnath took out the amount from his shirt pocket and kept the same in his suit-case and then Sri S.Narendra Kumar came out side the room and gave the pre-arranged signal at 09:15 hours. The Deputy Superintendent of Police, Anti-Corruption Bureau, who received the pre-arranged signal through the P.C.-3006, he along with the mediators rushed to the spot, the Deputy Superintendent of Police, Anti-Corruption Bureau directed Sri S.Narendra Kumar to stand out side till he will be called in. The trap party entered into the upstairs portion of the house of Sri Kesavan Amanath and found Sri Kesavan Amarnath, who is sitting in his room on a mat. The Deputy Superintendent of Police, Anti-Corruption Bureau disclosed his identity and the identity of other trap party. The Deputy Superintendent

of Police, Anti-Corruption Bureau got prepared sodium carbonate solutions in two glass tumblers. The Deputy Superintendent of Police, Anti-Corruption Bureau asked Sri Kesavan Amarnath to rinse his both the hand fingers separately in the sodium carbonate solution and on doing so, the resultant solution of right hand fingers turned to pink in colour and left hand fingers to light pink in colour. When the Deputy Superintendent of Police asked Sri Kesavan Amarnath to produce the bribe amount, accepted by him from Sri S.Narendra Kumar, Sri Kesavan Amarnath opened one suit-case available in the room and took out one wad of Rs.100/- currency notes stating that was the amount Sri S.Narendra Kumar gave to him. At the instance of the Deputy Superintendent of Police, one of the mediator took that amount from Sri Kesavan Amarnath, verified it and found it containing 9 Nos. of hundred rupee currency notes to a total of Rs.900/-. On verification, the numbers of the currency notes tallied with the numbers mentioned in Mediator's Report No.1, the Deputy Superintendent of Police seized that amount (Rs.900/-). When, the Deputy Superintendent of Police asked, Sri Kesavan Amarnath about the remaining note Sri Kesavan Amarnath stated that he received the amount from Sri S.Narendra Kumar and did not count it and he further informed that Sri S.Narendra Kumar informed him that he was giving one thousand rupees and as such he was under the impression that the amount was Rs.1,000/-. The Deputy Superintendent of Police conducted chemical test on the inner linings of the left side upper shirt pocket of Sri Kesavan Amarnath and the cotton swab test was conducted at the inside corner of the suit-case, where the tainted currency notes were recovered yielded positive result. The Deputy Superintendent of Police called Sri S.Narendra Kumar and enquired for the remaining Rs.100/- currency note, Sri S.Narendra Kumar verified in his shirt pocket and produced one hundred rupee note before the Deputy Superintendent of Police, stating that it was mistakenly remained in his shirt pocket while handing over the wad of currency notes to Sri Kesavan Amarnath. At the instance of the Deputy Superintendent of Police, one of the mediator, received that one hundred rupee note from Sri S. Narendra Kumar and verified the serial number, it tallied with the number noted in the Mediator's Report No.1. The Deputy Superintendent of Police seized the above currency note also. The serial numbers of all the currency notes tallied with that of the serial numbers of the currency notes mentioned in pre-trap proceedings. The Deputy Superintendent of Police also got recorded the statement of Sri S.Narendra Kumar;

5. And whereas, the Deputy Superintendent of Police seized the application of Sri S.Narendra Kumar on which Sri Kesavan Amarnath recommended for issue of caste and residence certificates. The Deputy Superintendent of Police also seized the copies of job chart and appointment order of Sri Kesavan Amarnath produced by one Sri Gone Babu, working as Junior Assistant (Establishment) in the Office of the Tahsildar, Tirupati Urban. The Deputy Superintendent of Police confronted the versions of Sri Kesavan Amarnath and Sri S.Narendra Kumar. But Sri Kesavan Amarnath and Sri S.Narendra Kumar stick on to their earlier versions. The Deputy Superintendent of Police arrested Sri Kesavan Amarnath

on 20-03-2009 at 14:00 hours duly informing the grounds of arrest to Sri Kesavan Amarnath. A detailed post-trap proceeding incorporating the all happenings has been drafted from 09:45 hours to 14:50 hours;

6. And whereas, the aforesaid acts of Sri Kesavan Amarnath, Village Revenue Officer, Office of the Tahsildar, Tirupati Urban constitute offences punishable under sections 7 and 13(2) read-with section 13(1)(d) of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

7. And whereas, the Government of Andhra Pradesh being the competent authority to remove the said Sri Kesavan Amarnath, Village Revenue Officer, Office of the Tahsildar, Tirupati Urban from the Government service, after fully and carefully examining the material placed (i.e., final report, copy of the FIR, copies of the Mediator's Report-1 & 2, gist of the statements of the witnesses and other documents) before them in respect of the aforesaid allegation and having regard to the facts and circumstances of the case consider that, the above said Sri Kesavan Amarnath, Village Revenue Officer, Office of the Tahsildar, Tirupati Urban, Chittoor District should be prosecuted in a Court of law, for the above said offences;

8. Now, therefore, in exercise of the powers conferred by clause(b) of the sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for prosecution of the said Sri Kesavan Amarnath @ Kesava Amarnadh, Village Revenue Officer, Office of the Tahsildar, Tirupati Urban, Chittoor District for the offences punishable under Sections 7, 13(1)(d) readwith section 13(2) of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Director General,  
Anti-Corruption Bureau,  
Andhra Pradesh, Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER